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4 BILL NO. G-72-09-11  
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7 GENERAL ORDINANCE NO. G- 17-72  
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10 WHEREAS, on March 15, 1972 the Mayor of the City of Fort Wayne  
11 signed General Ordinance No. G-04-72 which, among other things,  
12 provided that for six months from and after the effective date of  
13 said Ordinance no building permits would be issued for the construction  
14 of establishments where gasoline and/or diesel fuel is transferred from  
15 pumps into fuel tanks of cars, trucks and/or vehicles, and

16 WHEREAS, much time and study has gone into necessary consideration  
17 envisioned by said Ordinance but more time is needed to complete  
18 the study of the result to be accomplished.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
20 OF FORT WAYNE, INDIANA.

21 SECTION 1. That for three months from and after the effective  
22 date of this Ordinance no building permits will be issued for the  
23 construction of establishments where gasoline and/or diesel fuel  
24 are sold to motorists and where gasoline and/or diesel fuel is  
25 transferred from pumps into fuel tanks of cars, trucks and/or other  
26 vehicles.

27 SECTION 2. All other provisions and sections of General Ordinance  
28 No. G-04-72 are likewise extended for three months from and after  
29 the effective date of this Ordinance.

30 SECTION 3. This Ordinance shall be in full force and effect  
31 from and after its passage and approval by the Mayor.

32 Richard L. Lyons Jr.  
33 Councilman

34 approved as to  
35 form and legality  
John H. Lyons  
Associate City Attorney

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_ CITY CLERK

Read the third time in full and on motion by John M. ... seconded by Talarico and duly adopted, placed on its passage.

Passed (~~1994~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

✓ Burns	✓	_____	_____	_____
✓ Hinga	✓	_____	_____	_____
✓ Kraus	✓	_____	_____	_____
✓ Nuckols	✓	_____	_____	_____
✓ Moses	✓	_____	_____	_____
✓ Schmidt, D.	✓	_____	_____	_____
✓ Schmidt, V.	✓	_____	_____	_____
✓ Stier	✓	_____	_____	_____
✓ Talarico	✓	_____	_____	_____

Date 9/12/72 Charles W. ...  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (~~Zoning~~ Map) (General) (Annexation) (Special) (Appropriation) Ordinance (~~Resolution~~) No. B-17-72 on the 12th day of September, 19 72.

ATTEST (SEAL)

Charles W. ... CITY CLERK John Nuckols PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 19 72 at the hour of 9:00 o'clock A. M., E.S.T.

Charles W. ...  
CITY CLERK

Approved and signed by me this Bth day of September, 197 2 at the hour of 11:30 o'clock A. m., E.S.T.

John A. ...  
MAYOR



Bill No. 9 22-09-12.

General Ordinance No. 9 \_\_\_\_\_

Whereas, on March 15, 1972 the Mayor of the City of Fort Wayne signed General Ordinance No. 9-04-72 which, among other things, provided that for six months from and after the effective date of said Ordinance no building permits would be issued for the construction of establishments where gasoline and/or diesel fuel are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into fuel tanks of cars, trucks and/or other vehicles, and

Whereas much time and study has gone into necessary

consideration envisioned by  
said ordinance but more  
time is needed to complete  
the study of the request  
to be accomplished.

Now Therefore, Be It Ordained  
By the Common Council of the  
City of Fort Wayne,

Section 1. That for three  
months from and after  
the effective date of this  
Ordinance no building permits  
will be issued for the  
construction of establishments  
where gasoline and/or diesel  
fuel are sold to motorists and  
where gasoline and/or diesel  
fuel is transferred from  
pumps into fuel tanks of cars,  
trucks and/or other vehicles.

Section 2. All other provisions and Sections of General Ordinance Nos - 04-72 are likewise extended for three months from and after the effective date of this Ordinance.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor

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Councilman.

1 BILL NO. G-72-09-11

*vid. Was not introduced  
9-12-72.*

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4 GENERAL ORDINANCE NO. G-\_\_\_\_\_

5 AN ORDINANCE amending Sections 6 and 14 of the  
6 amended Zoning Ordinance of the City of Fort Wayne,  
7 Indiana, pertaining to service station uses and  
8 abandoned service station buildings.  
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10  
11 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
12 WAYNE, INDIANA:

13  
14 SECTION 1. Section 6 of General Ordinance No. G-\_\_\_\_\_  
15 is hereby amended to read as follows:  
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17 Section 6. Amortization of Nonconforming Uses or Buildings.  
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19 E. Any service station which is a nonconforming use on July 1,  
20 1972, or becomes a nonconforming use thereafter and which is not operating  
21 for a period of six (6) months or more after July 1, 1972, or any such ser-  
22 vice station not operating for a lesser period if intention to abandon is  
23 evidenced by removal of pumps or other facilities or other such action, shall  
24 be considered abandoned and the Board, after public hearing duly advertised  
25 as part of a regular public meeting of the Board, and with at least a thirty  
26 (30) day notice by certified mail to the owner of the real estate upon which  
27 the abandoned service station structure is located as disclosed by the tax  
28 duplicates of Allen County, Indiana, and the lessor of said station if any, if  
29 known by the Building Commissioner, may require the razing and removal  
30 of any structure and equipment from the premises and removal of any under-  
31 ground fuel tanks or the filling of same with sand or other suitable material  
32 approved by the Commissioner, all within sixty (60) days following the  
33 Board's order of razing and removal unless further time is allowed by the  
34 Commissioner. The Board's order must be supported by a finding from  
35 evidence presented at the public hearing including current photographs of  
36 the structure and equipment and surrounding property, that the service  
37 station is tending to create blight and has a material adverse effect upon  
38 the enjoyment, use and value of adjacent public or private property, and  
39 the reasonable cost of razing and removal will not exceed the benefits to  
40 be received by the adjacent users of real estate and the neighborhood commu-  
41 nity. If an owner, lessor, or user does not comply with any razing and/or  
42 removal order of the Board, the Building Commissioner shall have the right  
43 to withhold use permits for any other service station uses requested by or  
44 for said noncomplying owner, lessor or user, unless the Plan Commission  
45 of the City of Fort Wayne, Indiana, determines that the failure to comply  
46 with said order is caused by circumstances beyond the control of the non-  
47 complying owner, lessor or user.  
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49 Section 14. G. "B3A" and "B3B" District - General Business.  
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51 (10) Service station in a "B3B" District only; subject to  
52 compliance with the following requirements:  
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- 54 (a) A gasoline dispenser or pump island shall be set back  
55 at least 15 feet from any street right-of-way.  
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57 (b) Plan Commission shall review and approve all auto-  
58 mobile service station site plans, landscaping and  
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building designs. It may approve, disapprove, or approve with conditions any submittal. The Plan Commission shall approve the design of the building for compatibility with the surrounding area.

(c) Driveways and Other Paved Surfaces Including Parking:

(i) Driveways - All driveways and access geometrics are to comply with the requirements of the state or local agency responsible for issuance of permits.

(ii) Parking - Parking of vehicles on site is prohibited except for such vehicles as are in the process of being serviced, those belonging to employees, service and tow trucks owned by the establishment.

Parking is prohibited where it will impede the vision of the traffic in the public streets; parking of rental vehicles is prohibited.

(d) Landscaping and Buffer Strips: Ten percent of the total site shall be landscaped and such landscaping shall be maintained and replaced as necessary. A six (6) foot wide landscaped area shall be provided and maintained in good order along every property line in common with any residentially zoned property.

(e) All signs must be in compliance with the existing sign ordinance and provisions of this chapter.

(f) Lighting: All exterior lighting shall be so arranged and shielded as to prevent direct illumination from striking abutting property and from striking the occupants of vehicles passing on abutting streets.

(g) Storage: All storage must be enclosed and integrated with the design of the station. All hoists, service racks and accessory sales racks shall be maintained within an enclosed building. Vending machines may be located at a site outside the main building, but they must be located in an enclosed covered space attached to the main building that is harmonious with the station's design.

(h) Maintenance: All service stations shall be maintained at all times in a clean and orderly condition. The responsibility for compliance with the provision shall lie with all parties having a lease or ownership interest in the station.

SECTION \_\_. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or



1 constitutional of this ordinance as a whole or of any other part, section,  
2 clause, provision, or portion of this ordinance.  
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4 SECTION \_\_. This ordinance shall be in full force and effect from and  
5 after its passage, approval by the Mayor, and legal publication thereof.  
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10 Councilman  
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Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_ CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
Burns	_____	_____	_____	_____
Hinga	_____	_____	_____	_____
Kraus	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
Moses	_____	_____	_____	_____
Schmidt, D.	_____	_____	_____	_____
Schmidt, V.	_____	_____	_____	_____
Stier	_____	_____	_____	_____
Talarico	_____	_____	_____	_____

Date \_\_\_\_\_ CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m., E.S.T.

\_\_\_\_\_  
MAYOR